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DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

MARION CARNEY SR  
Plaintiff

vs.

L.T. Jordan, Sgt Ivey, Houston  
County Sheriff Dept, et al

Case NO. 1:07CV1053-MEF

**DEMAND FOR JURY TRIAL**

COMPLAINT UNDER THE CIVIL RIGHTS ACT OF  
42 U.S.C. + 1983

1. I, Marion Carney SR, is The plaintiff in The above  
entire Cause.
2. I, Marion Carney SR, Resides at 1213 Summit Street  
Dothan, AL 36301, contact Number 731 427 3749.  
B. The Defendants address is unknown at This time  
But all of The defendants are employed by The  
Houston County Sheriff Dept 144 N: oates st. Dothan, AL

2. The defendants address is unknown at this time but they are employed by The Houston County Sheriff Department located in Dothan AL.
3. Defendants Lt. Jordan and Sgt Ivey both work for The Houston County Sheriff Department located in Dothan AL, and they both were acting under the authority or color of state law at the time of civil rights violations.
4. Plaintiff request a Jury Trial
5. Plaintiff is requesting \$275,000 for actual damages and requesting an unspecified amount for punitive damages.
6. Plaintiff stills feel for his life because of threats made indirectly to plaintiff.
7. Plaintiff has filed a complaint with The Houston County Sheriff Department to Capt. Gonzales.

8. There have not been or is currently a case in either State court or Federal court dealing with a lawsuit concerning the same facts involved in This case.

9. Plaintiff is no longer employed due to defendants violation of my Civil Right.

STATEMENT OF CLAIM

on or about November 20, 2007, I Marion Carney SR, called The Houston County Sheriff Department requesting That they send a deputy to my house at 1213 Summit St. Dothan, AL because my ex-wife was violating an order of protection that she had placed on me, I was told by Dispatcher Woods to remain on the phone until an officer arrive, Four deputy Sheriff cars came to my house on this call, LT. Jordan and Sgt Ivey was Two of those officers, upon arriving to my house - I notified their dispatcher that help has arrived. LT. Jordan and the other officers has a working relationship with my ex-wife Vicki Evette Curry. They all works on the same shift and she is also a dispatcher for the Houston County Sheriff Department. when the officers arrived They immediately seen my ex-wife and They even allowed her to take and remove property from my home, even when there was no legal basis to do so. LT. Jordan and Sgt. Ivey

2.

refused to cite, arrest or force my ex wife to leave from my place of residence, even when I informed the officers that this is my place and there is an active order - I was told by both Lt Jordan and Sgt. Ivey that they was not going to enforce the law or an order of protection, I told the officers that I will call their supervisor later today and that the only reason why they <sup>won't</sup> enforce the law is because Vicki Curry work with them - I was told to shut up and told if I call the Sheriff department I would be arrested - I told Lt. Jordan that I pay taxes, I vote and I am a citizen of the U.S.A. and that Vicki has violated the order of protection, I was told by Lt. Jordan that they don't give a damn about my rights or any order of protection and if I don't shut up, I am going to jail and they would take me - I immediately called dispatch and reported this to officer Woods, and I then informed the deputies that since they was not going to enforce the law, that I was going back in the house, once in my house, the deputies and Vicki was still outside talking and laughing, then I heard my door being kicked in by Sgt. Ivey and Lt. Jordan choked me and said that since I have such a big mouth and

Since I want to cause trouble for Vicki, Their co-workers, That I was going to Jail - LT. Jordan force his fezer hard into ~~my~~ my side and said That if I say anything else, That he would Faze me - I was charge with obstruction, I was The only one arrested, nothing was done to Vicki for violating The order of protection, in fact, she was allowed to go back into my house and remove property and my S.U.V Car key was taken from me and given to Vicki. I was arrested even when it was me who called The police, I had to post bail, and I lost my job because of This illegal action. I was told to watch my back and LT. Jordan told me That he will make my life miserable and That I do better to leave dothan, Ar, and my ex-wife also said That if I don't leave, That I may end up frame or dead and That The Sheriff department looks out for Their own and That They are ready to take me down, even when I talked to The deputies, telling Them That I live at 1213 Summit St, I was told by LT. Jordan That he don't give a dam and I better shut up.

I, have in the past called Dispatcher Bart, Lt. Carlisle and several dispatchers complaining on Vicki Curry, yet nothing was done, I have tried to present proof that Vicki Curry has made a false report in acquiring the order of protection, and that it was me who was being threaten and harassed by Vicki Curry, yet nothing was done, I told them it was Vicki Curry who was arrested for domestic violence against me and my daughter, yet they did nothing - I was illegally arrested. My Civil Rights has been violated under false arrest, cruel and unusual punishment and false imprisonment because I dared to file a complaint against one of their officers, and to this day, nothing has been done against none of the deputies and against Vicki Curry who violated the order of protection, they all are still employed by the Houston County Sheriff department in Dothan AL.

JURISDICTION

1. Jurisdiction is proper in this Court according ~~to~~ to
  - A. 42 U.S.C. 1982
  - B. This incident took place in Dothan, AL giving This Court Jurisdiction.



Legal Authority / violations of civil Rights.

B. False arrest, False imprisonment, cruel and unusual  
Punishment, excessive force

10. I, am asking This Court to allow me to have  
a jury trial, and to allow This case to proceed,  
and to also grant a Temporary Order of  
Protection against LT. Jordan and Sgt. Ivey  
because I do fear for my life, and to allow me  
to feel in forma pauperis and pro-se, and to allow  
me to Amen complaint if needed,

I declare under Penalty of perjury That The  
Foregoing is true and correct

Signed

November

<sup>5</sup>  
28<sup>th</sup>

2007



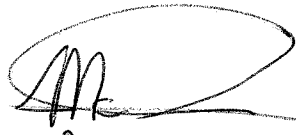
Marion Carney Sr  
1213 Summit St.  
Dothan AL 36301

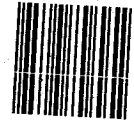
## CAUSE OF ACTION

I, Marion Carney, allege That my Constitutional Rights was violated by LT. Jordan and Sgt. Ivey, both of whom was acting under the color of law, and The Houston County Sheriff Department.

- a. Count one. Both LT. Jordan and Sgt Ivey falsely imprison me, by placing me in handcuff, when it was I who called for assistance (see attached statement of facts)
- B. Count Two. False Arrest, after refusing to arrest one of their own, LT. Jordan and Sgt Ivey arrested me because I insisted on having Vicki E. Carney cited or arrested for violating an active order of protection, even when they was made aware of the order of protection.  
(Please read attached statement of facts)
- C. Count Three - cruel and unusual punishment, by falsely arresting me and kicking in my door. only because I wanted one of their co-workers cited, this constitute violation of my civil rights, and  
(Please read attached statement of facts.)  
by threatening to tear me and sticking it hard in my side then arresting me.

WHEREFORE, I, Marion Carney pro-se, ask This Court to allow This action to proceed and to allow plaintiff a trial by jury on The grounds of my complaint and to allow me to sue for actual damages, punitive damages and for mental damages ~~and~~.

  
Marion Carney SR  
1213 Summit St.  
Dorham, Az  
36301



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36104

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D  
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**From:** Marion Carney SR.  
1213 Summit St  
DOTHAN AL  
36301

FIRST CLASS

**ReadyPost.**

Utility Mailer

**To:** Clerk of The U.S. District Court  
1 Church St.  
Montgomery AL  
36104

